



034704-000040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Selim Shlomo Rakib

SERIAL NO.: 09/898,675 CONFIRMATION NO.: 4348

FILING DATE: July 3, 2001

TITLE: Home Gateway for Video and Data Distribution from Various Types of Headend Facilities and Including Digital Video Recording Functions

EXAMINER: Annan Q. Shang TELEPHONE: (571) 272-7355
FAX: (571) 273-8300

ART UNIT: 2617

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 1/23/2006Name: Beatrice Orozco

Beatrice Orozco

**MAIL STOP: AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached (unless the blanket waiver referred to below applies), may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to review, consider and document each such item in the official record of this application.

01/26/2006 CNGUYEN2 00000049 09898675

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Note: If this box ☐ is checked, this case was filed after June 30, 2003 and qualifies for the blanket waiver of deposit of copies of U.S. Patents and U.S. Patent Application Publications in

accordance with the written waiver of 37 CFR §1.98 (a)(2)(i) dated July 11, 2003. Accordingly, such copies are not attached.

This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

I

This statement is filed pursuant to **(CHECK ONE BOX)**:

☐

37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; or
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

Accordingly, this information disclosure statement requires no fee and no certification.

☒

37 C.F.R. § 1.97(c).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; or
- (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either:

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); or
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).

☐

37 C.F.R. § 1.97(d).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); **and**
(2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

II

Fees Due (**CHECK ONE BOX**):

- ☐ No fee is due.
- ☒ The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

III

Certification (**CHECK ONE BOX**):

- ☒ No certification is necessary.
- ☐ Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:
That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:
No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.


IV

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,
THELEN REID & PRIEST LLP

Dated: January 23, 2006



James M. Wu
Registration No. 45,241

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P.O. Box 640640
San Jose, CA 95164-0640
Telephone: (408) 292-5800
Fax: (408) 287-8040

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|--|--|--|--|-----------------------------------|--|--------------------------|--|
| Form PTO 1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office | | | | Atty. Docket No. 034704-000040 | | Serial No. 09/898,675 | |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) | | | | Applicant: Selim Shlomo Rakib | | | |
| Filed: July 3, 2001 | | | | Group: 2617 | | | |

| U.S. Patent Documents | | | | | | | |
|-----------------------|---|--------------|------------|--------------------|-------|----------|-------------|
| | | Document No. | Date | Name | Class | Subclass | Filing Date |
| | A | 35,774 | 7/1/1962 | Myers | | | |
| | B | 2002/0054601 | 5/9/2002 | Barracrough et al. | | | |
| | C | 2002/0073430 | 6/13/2002 | Crandall et al. | | | |
| | D | 2003/0101459 | 5/29/2003 | Edson | | | |
| | E | 4,694,492 | 9/15/1987 | Wirstrom et al. | | | |
| | F | 4,829,569 | 5/9/1989 | Seth-Smith et al. | | | |
| | G | 4,894,789 | 1/16/1990 | Yee | | | |
| | H | 4,920,432 | 4/24/1990 | Eggers et al. | | | |
| | I | 5,093,718 | 3/3/1992 | Hoarty et al. | | | |
| | J | 5,130,983 | 7/14/1992 | Heffner, III | | | |
| | K | 5,133,079 | 7/21/1992 | Ballantyne et al. | | | |
| | L | 5,195,092 | 3/16/1993 | Wilson et al. | | | |
| | M | 5,200,993 | 4/6/1993 | Wheeler et al. | | | |
| | N | 5,247,347 | 9/21/1993 | Litteral et al. | | | |
| | O | 5,373,288 | 12/13/1994 | Blahut | | | |
| | P | 5,408,465 | 4/18/1995 | Gusella et al. | | | |
| | Q | 5,550,578 | 8/27/1996 | Hoarty et al. | | | |
| | R | 5,572,517 | 11/5/1996 | Safadi | | | |
| | S | 5,572,528 | 11/5/1996 | Shuen | | | |
| | T | 5,638,426 | 6/10/1997 | Lewis | | | |

| Foreign Documents | | | | | | | | |
|-------------------|--|--------------|------|---------|-------|----------|-------------|----|
| Init. | | Document No. | Date | Country | Class | Subclass | Translation | |
| | | | | | | | Yes | No |
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| Other Documents (Including Author, Title, Date, Pertinent Pages, etc.) | | |
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| Examiner | Date Considered |
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

| | | | |
|------------------------------|--|-----------------------------------|--------------------------|
| Form PTO 1449 (Rev. 2-32) | U.S. Department of Commerce Patent and Trademark Office | Atty. Docket No. 034704-000040 | Serial No. 09/898,675 |
|------------------------------|--|-----------------------------------|--------------------------|

Information Disclosure Statement by Applicant

Applicant:
Selim Shlomo Rakib

(Use several sheets if necessary)

Filed:
July 3, 2001

Group:
2617

U.S. Patent Documents

| Init. | | Document No. | Date | Name | Class | Subclass | Filing Date |
|-------|----|--------------|------------|---------------------|-------|----------|-------------|
| | U | 5,774,527 | 6/30/1998 | Handelman et al. | | | |
| | V | 5,790,806 | 8/4/1998 | Koperda | | | |
| | W | 5,819,036 | 10/6/1998 | Adams et al. | | | |
| | X | 5,828,655 | 10/27/1998 | Moura et al. | | | |
| | Y | 5,878,277 | 3/2/1999 | Ohta | | | |
| | ZZ | 5,905,942 | 5/18/1999 | Stoel et al. | | | |
| | AA | 5,987,518 | 11/16/1999 | Gotwald | | | |
| | AB | 6,038,425 | 3/14/2000 | Jeffrey | | | |
| | AC | 6,081,533 | 6/27/2000 | Laubach et al. | | | |
| | AD | 6,112,250 | 8/29/2000 | Appelman | | | |
| | AE | 6,154,772 | 11/28/2000 | Dunn et al. | | | |
| | AF | 6,178,446 | 1/23/2001 | Gerszberg et al. | | | |
| | AG | 6,185,736 | 2/6/2001 | Ueno | | | |
| | AH | 6,201,536 | 3/13/2001 | Hendricks et al. | | | |
| | AI | 6,238,290 | 5/29/2001 | Tarr et al. | | | |
| | AJ | 6,249,320 | 6/19/2001 | Schneidewend et al. | | | |
| | AK | 6,317,884 | 11/13/2001 | Eames et al. | | | |
| | AL | 6,320,900 | 11/20/2001 | Liu | | | |
| | AM | 6,330,719 | 12/11/2001 | Zigmond et al. | | | |
| | AN | 6,369,075 | 4/9/2002 | Ruggeri et al. | | | |

Foreign Documents

| | | | | | | | Translation | |
|-------|--|--------------|------|---------|-------|----------|-------------|----|
| Init. | | Document No. | Date | Country | Class | Subclass | Yes | No |
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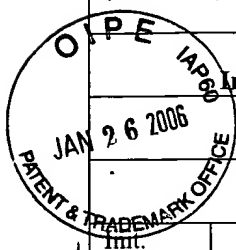
Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

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Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.



| | | | | | | | |
|---|--|--|--|-----------------------------------|--|--------------------------|--|
| Form PTO 1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office | | | | Atty. Docket No. 034704-000040 | | Serial No. 09/898,675 | |
| Information Disclosure Statement by Applicant (Use several sheets if necessary) | | | | Applicant: Selim Shlomo Rakib | | | |
| Filed: July 3, 2001 | | | | Group: 2617 | | | |

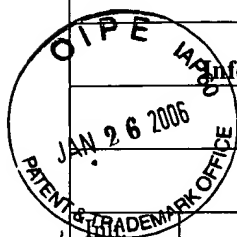
| U.S. Patent Documents | | | | | | | |
|-----------------------|----|--------------|-----------|-------------------|-------|----------|-------------|
| | | Document No. | Date | Name | Class | Subclass | Filing Date |
| | AO | 6,381,748 | 4/30/2002 | Lin et al. | | | |
| | AP | 6,385,647 | 5/7/2002 | Willis et al. | | | |
| | AQ | 6,400,720 | 6/4/2002 | Ovadia et al. | | | |
| | AR | 6,418,169 | 7/9/2002 | Datari | | | |
| | AS | 6,434,141 | 8/13/2002 | Oz et al. | | | |
| | AT | 6,459,703 | 10/1/2002 | Grimwood et al. | | | |
| | AU | 6,519,773 | 2/11/2003 | Ahmed et al. | | | |
| | AV | 6,543,053 | 4/1/2003 | Li et al. | | | |
| | AW | 6,553,568 | 4/22/2003 | Fijolek et al. | | | |
| | AX | 6,557,173 | 4/29/2003 | Hendricks | | | |
| | AY | 6,560,340 | 5/6/2003 | Akins, III et al. | | | |
| | AZ | 6,571,296 | 5/27/2003 | Dillon | | | |
| | BA | 6,594,467 | 7/15/2003 | Asia et al. | | | |
| | BB | 6,604,242 | 8/5/2003 | Weinstein et al. | | | |
| | BC | 6,615,353 | 9/2/2003 | Hashiguchi | | | |
| | BD | 6,678,733 | 1/13/2004 | Brown et al. | | | |
| | BE | 6,857,132 | 2/15/2005 | Rakib et al. | | | |
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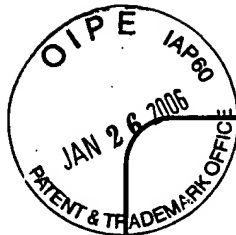
| Foreign Documents | | | | | | | | |
|-------------------|--|--------------|------|---------|-------|----------|-------------|----|
| | | | | | | | Translation | |
| Init. | | Document No. | Date | Country | Class | Subclass | Yes | No |
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| Other Documents (Including Author, Title, Date, Pertinent Pages, etc.) | | |
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| Examiner | Date Considered |
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.



**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|-----------------------------|-------------------------------|---------------|
| Application Number | 09/898,675 | | |
| | Filing Date | July 3, 2001 | |
| | First Named Inventor | Selim Shlomo Rakib | |
| | Art Unit | 2617 | |
| | Examiner Name | Annan Q. Shang | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 034704-000040 |

ENCLOSURES (check all that apply)

| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee by Credit Card <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | |

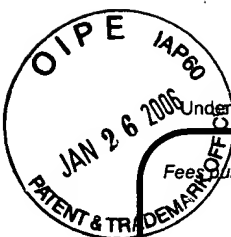
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|---------------------|--------------------------|-----------------|--------|
| Firm | THELEN REID & PRIEST LLP | | |
| Signature | | | |
| Printed Name | James M. W. | | |
| Date | 1/23/06 | Reg. No. | 45,241 |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
|---|-----------------|-------------|---------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Signature | | | |
| Typed or printed name | Beatrice Orozco | Date | 1/23/06 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 09/898,675 |
| Filing Date | July 3, 2001 |
| First Named Inventor | Selim Shlomo Rakib |
| Examiner Name | Annan Q. Shang |
| Art Unit | 2617 |
| Attorney Docket No. | 034704-000040 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____
☒ Deposit Account Deposit Account Number: 50-1698 Deposit Account Name: THELEN REID & PRIEST LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments
Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|----------------------|-------------|----------------------|------------------|----------------------|----------------|
| | Fee (\$) | Small Entity Fee(\$) | Fee(\$) | Small Entity Fee(\$) | Fee(\$) | Small Entity Fee(\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

Each independent claim over 30 (including Reissues)

Fee (\$)

Multiple dependent claims

Fee (\$)

Total Claims

Extra Claims

Fee(\$)

Fee Paid (\$)

Multiple Dependent Claims

_____ -20 or HP= _____ x _____ = _____

Fee (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims

Extra Claims

Fee(\$)

Fee Paid (\$)

_____ - 3 or HP= _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| _____ | _____ | _____ | _____ | _____ |

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : (1806) IDS

Fees Paid (\$)

180.00

SUBMITTED BY

| | | | | | |
|-------------------|-------------|--------------------------------------|---------|-----------|----------------|
| Signature | | Registration No. (Attorney/Agent) | 45,241 | Telephone | (408) 292-5800 |
| Name (Print/Type) | James M. W. | Date | 1/23/06 | | |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.